



PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/729,127
Filing Date	12/5/2003
First Named Inventor	Gabriel G. Khairallah ET AL.
Art Unit	3671
Examiner Name	Christopher J. Novosad
Attorney Docket Number	03-173

Total Number of Pages in This Submission

**ENCLOSURES (Check all that apply)**

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Documents<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input checked="" type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosures(s) (please identify below):<br><br>Request for Certificate of Correction Under 37 CFR 1.323 (to be forwarded to C of C Branch Upon Grant of Petition) |
|---|---|--|

Remarks

**RECEIVED****JUL 06 2006****OFFICE OF PETITIONS****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	William A. Beckman, Registration No. 57,589
Signature	<i>William A. Beckman</i>
Date	May 30, 2006

**CERTIFICATE OF MAILING**I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope address to:  
Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on this date:

05/30/2006

Typed or printed name William A. Beckman

Signature

*William A. Beckman*

Date

5/30/2006

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JFW  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

6-2-06  
In re United States Letters ) Group Art Unit: 3671  
Patent No.: 7,021,393 ) Examiner: Christopher J. Novosad  
Granted: April 4, 2006 )  
Inventor: GABRIEL G. KHAIRALLAH, ET AL. )  
Title: LANDSCAPE TILLER )  
Attorney Docket No.: 03-173 )

Peoria, Illinois 61629-6490  
May 30, 2006

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PETITION REQUEST UNDER 37 CFR 3.81(b)

Sir:

On January 23, 2006, Applicant submitted form PTOL-85B with payment of the Issue Fee. On form PTOL-85B, Applicant inadvertently indicated the incorrect Name of Assignee and Residence. By this Petition, Applicant is requesting to correct Applicant's error. The Name of the Assignee (Caterpillar S.A.R.L.) and Residence (Geneva, Switzerland) is the Assignee of Record as noted on the enclosed copy of the Notice of Recordation of Assignment Document, Reel and Frame 014776/0882, recorded December 5, 2003.

It is respectfully requested that the Petition be granted and that the enclosed REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 CFR 1.323 be forwarded to the Certificates of Correction Branch.

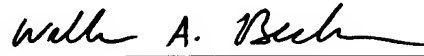
06/05/2006 AWDNDAF1 00000070 031129 10729127

01 FC:1464

130.00 DA

Enclosed herewith are two copies of a fee transmittal sheet to provide for the appropriate fee of \$130.00 for the Petition Request.

Respectfully submitted,

A handwritten signature in cursive script, reading "William A. Beckman", is written over a horizontal line.

William A. Beckman  
Registration No. 57,589  
Caterpillar Inc.

Telephone: \*\*\*(309) 675-5187\*\*\*  
WAB:glg  
Enc.



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## OFFICE OF PETITIONS

PTO/SB/17 (05-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2003**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

130

**Complete if Known**

Application Number	10/729,127
Filing Date	12/5/2003
First Named Inventor	Gabriel G. Khairallah ET AL.
Examiner Name	Christopher J. Novosad
Art Unit	3671
Attorney Docket No.	03-173

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account

Deposit

Account Number 03-1129

Deposit

Account

Name

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1001	790	2001 385 Utility filing fee	
1002	350	2002 170 Design filing fee	
1003	530	2003 265 Plant filing fee	
1004	790	2004 385 Reissue filing fee	
1005	160	2005 80 Provisional filing fee	

SUBTOTAL (1) (\$)

0

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1202	18	2002 9 Claims in excess of 20	
1201	88	2001 43 Independent claims in excess of 3	
1203	290	2203 145 Multiple dependent claim, if not paid	
1204	88	2204 43 **Reissue independent claims over original patent	
1205	18	2205 9 **Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

0

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	210	Extension for reply within second month	
1253	980	2253	475	Extension for reply within third month	
1254	1,530	2254	740	Extension for reply within fourth month	
1255	2,080	2255	1,005	Extension for reply within fifth month	
1401	340	2401	165	Notice of Appeal	
1402	340	2402	165	Filing a brief in support of an appeal	
1403	300	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	665	Petition to revive - unintentional	
1501	1,370	2501	665	Utility issue fee (or reissue)	
1502	490	2502	240	Design issue fee	
1503	660	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

130

**SUBMITTED BY**

(Complete (if applicable) )

Name (Print/Type)	William A. Beckman	Registration No. (Attorney/Agent)	57,589	Telephone	(309) 675-5187
Signature	will A. Beckman	Date	05/30/2006		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Form PTO-1595 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings ⇨ ⇨ ⇨ ▼ ▼		R 12-15-2003 102624690		U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office	
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.					
1. Name of conveying party(ies): Gabriel G. Khairallah James B. Normann Michael A. Pepe  Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party(ies): Name: Caterpillar S.A.R.L. Internal Address: c/o Caterpillar Overseas S.A. 76, Route de Frontenex 1211 Geneva, SWITZERLAND  Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: 11/24/2003 11/24/2003 11/24/2003					
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: 11/24/2003 A. Patent Application No.(s) _____ B. Patent No.(s) _____ Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
5. Name and address of party to whom correspondence concerning document should be mailed:  Todd A. Benni Caterpillar Inc. Intellectual Property Department, AB6490 100 N. E. Adams Street Peoria IL 61629-6490		6. Total number of applications and patents involved: <input type="checkbox"/> 1 7. Total fee (37 CFR 3.41) ..... \$ 40.00 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number:  03-1129			
DO NOT USE THIS SPACE					
9. Signature. Docket Number: 03-173  Todd A. Benni <u>Todd A. Benni</u> 12/05/2003 Name of Person Signing Signature Date Total number of pages including cover sheet, attachments, and documents: <input type="checkbox"/> 03					

Mail documents to be recorded with cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

12/12/2003 LNUELLER 00000089 031129 10729127

01 FC:8021 40.00 DA

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ASSIGNMENT

OFFICE OF PETITIONS

WHEREAS, Gabriel G. Khairallah, James B. Normann, and Michael A. Pepe, residing respectively at Carrboro, North Carolina; Holly Springs, North Carolina; and Chapel Hill, North Carolina, hereinafter referred to as ASSIGNORS, have invented a new and useful

LANDSCAPE TILLER

for which ASSIGNORS are about to file an international application and/or make application for Letters Patent in the United States of America, such invention being described and identified by said application having an attached International Application Request and/or an attached Declaration and Power of Attorney executed by ASSIGNORS on 11/24/03, 11/24/03, and 11/24/03; and

WHEREAS, Caterpillar S.A.R.L., a corporation duly organized and existing under the laws of Switzerland, domiciled at c/o Caterpillar Overseas S. A., 76, Route de Frontenex, 1211 Geneva, Switzerland, hereinafter referred to as ASSIGNEE, is desirous of acquiring the entire right, title and interest in and to said invention and any Letters Patent granted thereon by the United States of America and any foreign country;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and for other good and valuable consideration received by ASSIGNORS from ASSIGNEE, the receipt of which is hereby acknowledged by ASSIGNORS;

1. ASSIGNORS hereby sell, assign, transfer and convey unto ASSIGNEE the entire right, title and interest in and to said invention, any application therefor, and any Letters Patent granted thereon by the United States of America and any foreign country, including any continuing application, reissue or extension thereof, together with the right to file applications and obtain patents for said invention in any foreign country, and covenant that ASSIGNORS have the full right to do so.

2. At the request and expense of ASSIGNEE, ASSIGNORS agree to communicate to ASSIGNEE any facts known respecting said invention, to execute all papers necessary to file any application on said invention necessary or desirable to aid ASSIGNEE in obtaining and enforcing proper protection for said invention in the United States of America and any foreign country.

3. ASSIGNORS hereby authorize and request the COMMISSIONER OF PATENTS AND TRADEMARKS to issue the United States Letters Patent on said invention, when granted, to Caterpillar S.A.R.L.

4. This assignment shall inure to the benefit of ASSIGNEE, its successors, assigns and other legal representatives, and shall be binding upon ASSIGNORS, ASSIGNORS' heirs and legal representatives.

IN TESTIMONY WHEREOF, ASSIGNORS have executed this instrument.

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OFFICE OF PETITIONS

  
GABRIEL G. KHAIRALLAH

11/24/03  
Date

IN WITNESS OF the execution hereof by GABRIEL G. KHAIRALLAH we have hereunto set our hands.

THA. AGES 11/24/2003  
Witness (1) THOMAS A. HUGHES, JR. Date

Address: 811 BRENT. RD.  
RALEIGH, NC 27606


 11/24/03  
Witness (2) ALESSANDRO MAGLIULO Date

Address: 113 TRUMBELL CIR  
MORRISVILLE, NC 27560

  
JAMES B. NORMANN

11/24/03  
Date

IN WITNESS OF the execution hereof by JAMES B. NORMANN we have hereunto set our hands.

 11/24/03  
Witness (1) Date

Address: GABRIEL KHAIRALLAH  
100 ROCK HAVEN RD. #E203  
CARRBORO, NC 27510

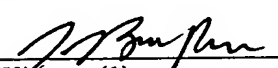
 11/24/03  
Witness (2) Date

Address: Doyle T. Arboneaux, III  
3300 Langston Circle  
Aperx NC 27539

  
MICHAEL A. PEPE

11/24/03  
Date

IN WITNESS OF the execution hereof by MICHAEL A. PEPE we have hereunto set our hands.

 11/24/03  
Witness (1) Date

Address: 3000 Mills Lake Wynd  
Holly Springs NC 27540

 11/24/03  
Witness (2) Date

Address: 1207 KELTY CT  
CARY NC 27511